

Members

Rep. Jeff Thompson, Chairperson
Rep. Dan Leonard
Rep. William Davis
Rep. R. Tiny Adams
Rep. Scott Reske
Rep. Vern Tincher
Sen. Sue Landske, Vice-Chairperson
Sen. Marvin Riegsecker
Sen. Brent Waltz
Sen. Larry Lutz
Sen. Glenn Howard
Sen. Allie Craycraft



INTERIM STUDY COMMITTEE ON FIRE SAFETY ISSUES

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Authority: Legislative Council Resolution 05-01

MEETING MINUTES¹

Meeting Date: September 21, 2005
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Rep. Jeff Thompson, Chairperson; Rep. Dan Leonard; Rep. William Davis; Rep. Vern Tincher; Sen. Sue Landske, Vice-Chairperson; Sen. Marvin Riegsecker; Sen. Brent Waltz; Sen. Larry Lutz; Sen. Allie Craycraft.

Members Absent: Rep. R. Tiny Adams; Rep. Scott Reske; Sen. Glenn Howard.

Chairperson Jeff Thompson called the meeting to order at 10:08 a.m. The members of the Committee introduced themselves and stated the district that they represent.

1. Building, Fire, and Equipment Laws (HCR 71-2005)

No one appeared to testify regarding this topic, and no questions were raised from the Committee.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

2. Fire Safety in Dormitories and Senior Care Facilities (SCR 12-2-5)

Mara Snyder, Director of Legal and Code Services for the Indiana Department of Homeland Security, distributed Fire Safety Codes for Assisted Living Facilities (Exhibit A) to the Committee. She stated that the term "assisted living" had not been used until the current building code. This type of living situation had been viewed as institutional (nursing home) or residential occupancy (boarding house, when sprinklers may not be required). Answering Senator Craycraft, Ms. Snyder explained that child care facilities are viewed differently from residential care facilities under the building and fire codes.

Jim Leich of the Indiana Association of Homes and Services for the Aging, representing nursing homes and senior housing, spoke regarding the financial impact for his association's members if sprinklers were required in all the facilities. Many institutions are stand alone facilities and are not part of a large corporation that might financially assist the placement of sprinklers. Chairperson Thompson asked if a five year period before sprinklers were required to be installed might be acceptable; Mr. Leich thought that was the minimum period. He also explained to Chairperson Thompson that nursing homes are licensed by the State Department of Health and that assisted living facilities are not licensed when an outside agency provides health care services to the residents. Answering Representative Davis, Mr. Leich said he did not think that requiring hard wired fire alarms would be a good idea, in that technology may come up with a better type of alarm in the near future. Representative Davis expressed a fear that if a county home in his district was mandated to install sprinklers, it would have to close.

Mary Ann Maroon, representing the Indiana Health Care Association (IHCA), stated that by mid May, 2006, Medicaid/Medicare certified long term care facilities must have, at a minimum, battery operated smoke detectors in sleeping rooms and public areas. A discussion ensued concerning the many definitions of "assisted living"; Ms. Snyder explained that as to the building code, it means that an individual can escape the building without assistance. Ms. Maroon gave the Committee the IHCA-Sprinkler Report (Exhibit B). IHCA and United Senior Action agree that a notice as to whether a nursing home is sprinkled could be a part of the State Department of Health website of items to check for when choosing a nursing home.

Robyn Grant of United Senior Action stated her organization's concern for adequate fire alert systems for nursing home residents, and that her organization was not opposed to phasing in of mandated sprinkler systems. Chairperson Thompson asked Mr. Leich to determine how many beds are in non or partially sprinklered nursing homes at this time.

3. Discussion Regarding Legislation, Recommendations, and Final Report

Senator Landske stated that she would talk to Senator Pat Miller to see which senator would propose legislation regarding sprinklers in nursing homes. The Committee discussed recommending that disclosure as to whether a nursing home was sprinklered be a part of the State Department of Health website qualifications for choosing a nursing home. Discussion ensued concerning the time frame that should be required for the phasing in of requiring all nursing homes to be sprinklered. Susan Albers of the Indiana Assisted Living Association had a concern that some of her association's members have contracts with the Department of Housing and Urban Development stating that those members cannot encumber debts. Because concern was raised as to the financial burden to the operators of the homes, and the concern that this might cause some to close, it was decided to recommend that nursing homes would need a plan of implementation for sprinkler systems by June 30, 2013, and have the work completed by June 30, 2016.

Answering Senator Landske, Mr. Leich stated that nursing homes do not allow smoking in

residents' rooms; it is only allowed in common areas or outside.

Leading up to a discussion about fire safety in dormitories, Senator Waltz stated that he knows that fraternity alumni are interested in making contributions for fire safety to their chapters if the donations could be made as tax deductible. Legislation on that subject is stalled at the federal level, but he thinks it could be proposed for the state. J.T. Forbes, Executive Director of State Relations for Indiana University, stated that of the 43 fraternities and sororities on the Bloomington campus, about 20% are sprinklered. The university does not control those organizations. In response to Chairperson Thompson, Tom Morrison, director of state fiscal relations at Ball State University, stated Ball State is putting in sprinklers as a part of scheduled dormitory renovations, but not as a separate action. If that were done, it would add enormously to the cost. He added that most college fires are in private living quarters. Mr. Forbes reminded the Committee that any mandate to public universities to retrofit dormitories means that the work must be paid for by means of public monies.

The Legislative Services Agency was directed to prepare a Final Report with recommendations that: (1) a "phase-in" for sprinklers in nursing homes be required before July 1, 2016 with a plan of action to be completed before July 1, 2013; and (2) the State Department of Health display information about fire protection systems in nursing homes as a part of its website.

Chairperson Thompson announced that the next and final meeting of the Committee will be on Thursday, October 20, at 1:30 p.m. at the State House, the room number to be announced later.

There being no more business before the Committee, Chairperson Thompson adjourned the meeting at 11:05 a.m.